

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANTHONY AFRETTO, RANDALL ARTIS,
AJAY KAPILA, and RICK STICKLE,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS,

Defendant.

ORDER
07-cv-630-jcs

Plaintiffs filed this action and filed the above entitled complaint. Plaintiff Rick Stickle paid the \$350.00 filing fee.

Although the defendant has not been served with the summons and complaint, it moved to sever the plaintiffs' claims in this action because each plaintiff is required to pay the filing fee. Plaintiffs failed to respond to the motion.

In Boribonne, et al. v. Berge, 391 F. 3d 852, 856 (7th Cir. 2004) the Court held that each plaintiff must pay the full filing fee in a multiple plaintiff case. According to the Court records, plaintiffs Stickle and Afretto have each paid a \$350.00 filing fee and may proceed with this action.

Plaintiffs Ajay Kapila and Randall Artis may elect to either withdraw as plaintiffs in the above entitled action or to proceed by paying a \$350.00 filing fee. They should notify the Court of their decision not later than February 13, 2008.

Afretto, et al. v. Federal BOP, 07-C-630-S

ORDER

IT IS ORDERED that defendants motion to sever the claims of the plaintiff in this action is GRANTED except that plaintiffs Afretto and Stickle may proceed as co-plaintiffs since each has paid a filing fee.

IT IS FURTHER ORDERED that plaintiffs Artis and Kapila shall notify the Court not later than February 13, 2008 whether they wish to withdraw as plaintiffs or to proceed by paying a \$350.00 filing fee.

Entered this 23rd day of January, 2008.

BY THE COURT:

/s/

JOHN C. SHABAZ
District Judge